

**DEVELOPMENT REVIEW COMMITTEE – May 25, 2021**

**CONDITIONS OF APPROVAL**

**21 W. Main Street**

**Conditional Use Permit Application U -21-009**

**Requesting approval of a Conditional Use Permit to allow alcohol service at a wine tasting room (Gali Vineyards) on a property zoned C-2-LHP. APN 529-01-018.**

**PROPERTY OWNER: Shari Flick**

**APPLICANT: Janice Gali**

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

*Planning Division*

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any intensification beyond this authorized use requires a Conditional use Permit amendment.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **LAPSE FOR DISCONTINUANCE:** If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. **USE:** The approved use is a wine tasting room, which cannot involve more than three wineries, with retail sales. Retail sales of beer or hard liquor are not permitted.
5. **HOURS:** Maximum hours of operation are 10:00 a.m. to 10:00 p.m., seven days a week.
6. **CERTIFICATE OF USE AND OCCUPANCY:** A Certificate of Use and Occupancy must be obtained prior to commencement of use.
7. **BUSINESS LICENSE:** A business license from the Town of Los Gatos Finance Department must be obtained prior to the commencement of any new or change of use.
8. **LIVE ENTERTAINMENT:** Live entertainment until 10:00 p.m. is permitted in conformance with the Town Policy regulating Late Night Entertainment.
9. **GENERAL:** Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owner.
10. **SIGN PERMIT:** Please note that any exterior business sign(s) shall be compatible with the building style and consistent with the Commercial Design Guidelines and Town Code. A sign permit from the Los Gatos Community Development Department must be obtained prior to any changes of existing signs or installation of new signs.
11. **TOWN INDEMNITY:** Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
12. **COMPLIANCE MEMORANDUM:** A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

*Building Division*

13. A comprehensive plan review has not been completed for this CUP modification under consideration by the Development Review Committee and compliance with applicable codes have not been verified.

14. PERMITS. No work requiring Building Permits can commence without issuance of any required Building Permits. Building Permit plan review, including review by the Santa Clara County Fire Department and the Parks and Public Works Department, will be part of any required Building Permit application process. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official.
15. ACCESSIBILITY. In addition to all new work complying with the Code for accessibility, when existing buildings are altered or remodeled, they must be made accessible to persons with physical disabilities in accordance with the CBC Section 11B-202, "Existing buildings and facilities".